

# **BROOKINGS COUNTY COMMISSION MEETING**

**Tuesday, January 25, 2005**

The Brookings County Board of County Commissioners met in regular session on Tuesday, January 25, 2005, with the following members present: Dennis Falken, Mary Negstad, Donald Larson, Deanna Santema, and Emil Klavetter. Also present: Stephanie Vogel, Wm. Mark Kratochvil, Kelly Bakken, Ted Eggebraaten, Brad Wermers, Robert Hill, Royce Emerick, Barb Telkamp, Beth Pederson, Martin Stanwick, Henning Hansen, Donna Ramsay, Joyce Dragseth, Bill DuBois, Rita Tate, Perry Miller, and Jill Fier.

## **CALL TO ORDER**

Chairperson Falken called the meeting to order.

## **CONSENT AGENDA**

Chairperson Falken declared the Consent Agenda approved as amended with no objection from the board. The Consent Agenda consisted of the agenda for the January 25, 2005 Commission Meeting, and the minutes from the January 18, 2005 Commission Meeting. Welfare Matters: Case # 05-016 for emergency gas was approved; Case # 05-014 for rent was approved; Case # 05-013 for rent and utilities was denied; Case # 05-004 for rent was approved; Case # 05-012 for rent was approved; Case # 05-015 for rent was approved. Travel/Education: Gary Heldt, Lawrence Barnett, and Bob Mans to go to Aberdeen, SD on February 16-18, 2005 to attend the Grants, Weed, and Pest Conference. Teresa Anderson to go to Sioux Falls, SD on January 27, 2005 to go to a meeting with Media One on Statewide Marketing for Citizen Corps programs.

## **ROUTINE BUSINESS**

Motion by Santema, seconded by Klavetter, to approve the following claims. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes. American Stamp & Marking, address stamps \$46.02; Cyndi Ault, payroll advance \$500.00; AT&T, telephone \$128.57; Avera Bkgs Medical, medical \$46.45; Bozied Oil Co, car washes \$71.00; Bkgs Area Transit, qtrly payment \$8,125.00; Bkgs City, utilities \$163.32; Bkgs Conservation, yrly payment \$25,000.00; Bkgs Co Historic, yrly payment \$4,000.00; Bkgs Co Sheriff, civil process \$36.50; Bkgs Co Treasurer, adv taxes \$3,060.04; Bkgs Domestic Shelter, bi-annual payment \$13,000.00; Bkgs Engraving, nameplate \$8.00; Bkgs Hospital, blood tests \$2,890.00; Denise Brown, payroll advance \$500.00; Buhl's Cleaners, rugs/rental \$61.80; Cabana Banners, decals \$28.00; Calhoon & Kratochvil, postage stamps/mailling costs \$524.40; Karan Calhoon, keys \$5.24; Cellular One, telephone \$58.40; Central Business, supplies/ furniture \$16,316.71; Chemco, janitorial supplies \$126.00; Civil Air Patrol, subscription \$145.00; Clite's Electric, repair \$69.38, Cook's Recycling, commercial service \$324.45; Credit Bureau of Sioux Falls, skip tracing \$12.00; Credit Collections Bureau, execution \$584.00; Dakotaland Enterprises Inc, rent \$360.00; Den-Wil, rent \$1,576.24; East-Central Multi District, training \$1,560.00; East Dakota Water, water conserv \$289.28; Ecolab Pest Elimination, fumigation \$47.50; Ekern Plumbing & Heating, execution \$101.47; Elite Business Systems, copier maintenance \$63.60; Elkton Library, yrly payment \$3,200.00; ESRI Inc, GPS unit, \$6,204.00; First

District Assoc, qtrly payment \$6,519.00; First Nat'l Bank, motel/supplies \$280.16; Fishback Insurance Agency, blanket bond \$4,310.50; Gall's, oxygen kit \$777.87; Alan Glover, CAA \$828.60; Mark Halverson, payroll advance \$500.00; Harold's Printing, envelopes \$64.70; Harmelink & Fox Law, MI hearing \$65.18; Donna Hendrickson, framed prints \$330.00; Robert Hill, meals/gas \$46.01; Hillyard Inc, supplies \$550.51; Tim Hogan, CAA \$454.52; Jack's Uniforms & Equip, glocks/holsters/pouches \$5,154.99; Janitor's Closet, supplies \$44.67; Randy Jensen, meeting/mileage \$43.96; Johnson Controls, service agreement \$12,252.00; Mary Kidwiler, meeting/mileage \$43.00; Darrel Kleinjan, meeting/mileage \$47.16; Dale Kneebone, payroll advance \$500.00; Duane Knutson, meeting/mileage \$37.88; Lewis & Clark Mental, MI hearings \$260.00; LexisNexis Matthew Bender, internet program \$110.00; ME McCann, CAA \$1,636.60; Donald McCarty, CAA \$1,504.98; McCleod's Print & Office, books/notices \$709.61; M&T Medical, medical supplies \$36.50; Bob Mans, meeting/mileage \$40.12; Mastercard, equipment/registration \$2,032.78; Mid-America, Research, supplies \$1,164.20; Mid-State Organized Crime, dues \$150.00; Mills Prop Mgmt, rent/janitorial \$5,551.37; Minnehaha Co Juvenile, foster care \$3,150.00; NACA, dues \$75.00; NACE, registration \$400.00; Nat'l Assoc of Counties, dues \$524.00; Nat'l CVSO, dues \$30.00; NDAA, malpractice insurance \$3,841.00; Nat'l Dist Att'y Assoc, dues \$230.00; Darrel Nelson, meeting/mileage \$41.08; Nancy Nelson, CAA \$1,088.54; NWPS, utilities \$4,589.55; Sean O'Brien, CAA \$653.80; Office Systems, supplies \$334.23; Ogura Hypower Equip, rescue combo \$7,522.73; Mike Olson, meeting/mileage \$49.08; Robert Olson, payroll advance \$500.00; PMC, web hosting \$2,100.00; Pennington Co Jail, transport \$311.22; Bella Petersen, payroll advance \$500.00; Pitney-Bowes, qtrly charges \$1,251.00; Power Phone, recertification \$436.00; Progressive Farmer, subscription \$9.00; Qwest, database \$300.21; Radio Shack, battery \$15.69; Reserve Account, postage \$6,000.00; Dept of Revenue, monthly MV/birth & death fees \$184,917.15; Rick Ribstein, CAA \$1,209.90; Robert Rochel, meeting/mileage \$45.56; Rude's Home Furnishings, chairs \$588.00; Layne Saathoff, meeting/mileage \$49.72; SDAAO, dues \$275.00; SDACC, dues \$4,854.20; SDACO, dues \$2,068.20; SD Dept of Health, flu shots \$435.00; SD Emergency Mgmt, dues \$60.00; SD Municipal League, workers comp \$58,976.00; SD Planners Assoc, dues \$40.00; SD Sheriff's Assoc, dues \$425.00; SD State's Atty Assoc, dues \$525.00; SD Vet Serv Assoc, dues \$50.00; SD Planners Assoc, dues/subscription \$25.00; Senior Companions, yrly payment \$3,750.00; Shephardson's Hardware Hank, humidifier \$46.98; Sioux Falls Two Way Radio, maintenance contract \$405.00; Sioux Valley Energy, utilities \$44.00; Smilemakers, stickers \$41.65; Steve Smith, meeting/mileage \$51.00; State Bar of SD, dues \$630.00; Super 8 Motel, room \$42.00; Swiftel Center, upkeep \$2,500.00; TV Productions, tape editing \$143.75; Krista Thompson, payroll advance \$500.00; Thrifty White, medicine \$952.61; Tri-State EMA, dues \$20.00; Kim Tschetter, execution \$665.79; Turning Point, foster care \$2,070.00; United Accounts, execution \$1,128.61; Verizon, telephone \$565.93; Barry Vlasman, CAA \$620.12; Wal-Mart Phy, medicine \$23.09; West Group, law books \$809.30; Chad Wosje, meeting/mileage \$51.00; Wright Locksmith, re-key doors \$100.00; Yankton Co Treasurer, MI hearings \$182.10; LP Sewer, qtrly payment \$734.88; LP Water, qtrly payment \$1,544.84; Bkgs-Hamlin Sioux Water, qtrly payment \$6,898.67; Upper Deer, qtrly payment \$380.21.

## **REGULAR BUSINESS**

Highway Superintendent, Ted Eggebraaten met with the board to discuss Highway Matters.

Motion by Klavetter, seconded by Negstad, to approve and authorize Chairperson Falken to sign Change Order # 8 for the Brookings County Highway 23 Improvements Project P6317(00) PCEMS 6737, Brookings County, South Dakota, BAI # 20205.00.02. Change Order # 8 will increase the contract price by \$34,521.36; and the contract time by 0 calendar days. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

Motion by Larson, seconded by Negstad, to approve and authorize Chairperson Falken to sign Abatement Application # 05-03 from Dennis DeBoer ET AL, abatement in the amount of \$5.75; on the property described as the SE 1/4, SW ¼, Lots 1-6 exc. 15A & E 257' of W912' S310' & excluding the platted areas of 07-111-51. Parcel # 14000-11151-07300; Bill # 3832. Reason: the 2004 assessment year included a lot that was assessed separately. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion passes.

Motion by Santema, seconded by Klavetter, to approve and authorize Chairperson Falken to sign Abatement Application # 05-02 from Paul Cordell, abatement in the amount of \$854.50; on the property described as Lot 4 of Lake Poinsett Heights of 05-112-52. Parcel # 11125-11252-05310; Bill # 2560. Reason: the house did not exist. Abatement in the amount of \$147.30; on the property described as Lot 3 of Lake Poinsett Height of 05-112-52. Parcel # 11125-11252-05305; Bill # 2559. Reason: Garage was assessed twice. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion passes.

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to discuss Personnel Matters, the OEM Briefing on Mosquito Control, the SD Office of Homeland Security and Funding Requests, Aviation Services and Insurance, the NACo Prescription Drug Card Program, and Insurance Correspondence. Be it noted, the Board approved the following Personnel Action Notices: Annual Performance Reviews for Carolyn Brandt and Stephanie McCormick. New Hire: Part-time Correctional Officer, Robert Walsh. Transfer: Doris Knutson from Director of Equalization to Zoning Office Assistant.

Motion by Negstad, seconded by Santema, to approve and authorize Chairperson Falken to sign the Request to Fill Vacancy for the Sergeant/Investigator position in the Sheriff's Department. Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion passes.

Barb Telkamp met with the board to discuss the Political Rally and to distribute a booklet of information from the event.

## **PUBLIC HEARING**

Chairperson Falken read the Second Reading of Ordinance # 2005-1; An Ordinance Providing for the Amendment of the 1997 Revised Zoning Ordinance. As scheduled, Chairperson Falken opened the Public Hearing at 9:00am. Chairperson Falken called for proponents and opponents: Henning Hansen spoke during the Public Hearing. Chairperson Falken closed the Public Hearing, and called for a motion. Motion by Klavetter, seconded by Santema, to approve and authorize Chairperson Falken to sign Ordinance # 2005-1; An Ordinance Providing for the Amendment of the 1997 Revised Zoning Ordinance. Highway Superintendent, Ted Eggebraaten and Zoning and Drainage Director, Robert Hill discussed Ordinance # 2005-1 with the board. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion passes.

## **ORDINANCE # 2005-1**

### **AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE 1997 REVISED ZONING ORDINANCE**

**WHEREAS**, Brookings County has previously adopted the 1997 Revised Zoning Ordinance; and

**WHEREAS**, the Brookings County, South Dakota, Board of County Commissioners deems it necessary, for the purpose of promoting the health, safety, and the general welfare of the County, to amend the 1997 Revised Zoning Ordinance.

**THEREFORE, BE IT ORDAINED BY BROOKINGS COUNTY, SOUTH DAKOTA**, that the 1997 Revised Zoning Ordinance of Brookings County be amended as follows:

#### **SECTION A. That Article XII, Section 1212 be amended as follows:**

1. Section D, General Provisions, be amended as follows:
  - A. Item 2, Setbacks, be amended as follows:
    2. Setbacks  
Wind turbines shall meet the following minimum spacing requirements.
      - a. Distance from existing off-site residences, business and public buildings shall be one thousand (1,000) feet.  
Distance from on-site or lessor's residence shall be one thousand (1,000) feet.
      - b. Distance from the right-of-way (ROW) of public roads shall be 500 feet or one point one (1.1) times the height of the wind turbines, depending upon which is greater, measured from the ground surface to the tip of the blade when in a fully vertical position.
      - c. Distance from any property line shall be 500 feet or one point one (1.1) times the height of the wind turbines depending upon which is greater, measured from the ground surface to the tip of the blade when in a fully vertical position unless wind easement has been obtained from adjoining landowner.

**SECTION B.** In all other respects the 1997 Revised Zoning Ordinance shall remain unchanged and is hereby re-ordained.

**FIRST READING: January 18, 2005**

**SECOND READING: January 25, 2005**

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**Chairperson, Brookings County  
Board of County Commissioners**

**ATTEST:**

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**Brookings County Auditor**

## **COMMISSIONER'S OPEN DISCUSSION**

Commissioner Klavetter reported on the Brookings Economic Development Meeting.

Commissioner Santema reported on the Community Collation Meeting, the State of the Chamber luncheon, and the ECMH Board Meeting.

Commissioner Negstad reported on the Domestic Abuse Shelter Meeting.

Commissioner Larson reported on the SDSU Growth Partnership Research Park, Alcohol Awareness, and Real estate on the market.

Commissioner Falken reported on the State of the Chamber luncheon.

## **EXECUTIVE SESSION**

Motion by Santema, seconded by Negstad, to go into executive session at 9:15am. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion passes. Chairperson Falken declared executive session over at 9:20am. Reason - Personnel Matters. No action at this time.

## **REGULAR BUSINESS**

Director of Equalization, Joyce Dragseth met with the board to discuss the Office Staffing Plan for 2005.

Motion by Klavetter, seconded by Negstad, to approve and authorize Chairperson Falken to sign the Request to Fill Vacancy for the Equalization Clerk II position in the Director of Equalization Department. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion passes.

Bill Dubois met with the board to discuss Concentrated Animal Feeding Operation Regulations and Taxpayer Concerns.

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to discuss Legislative Updates, County Day in Pierre, SD and upcoming conferences.

## **ADJOURNMENT**

Chairperson Falken declared the meeting adjourned until 8:30am Tuesday, February 1, 2005.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans with Disabilities Act.

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Kelly Bakken  
Deputy Auditor  
Brookings County Auditor's Office